

1 **PROPOSED PERMANENT REGULATION OF THE**
2 **NEVADA STATE ENVIRONMENTAL COMMISSION**

3
4 **Petition 2003-08**

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8 EXPLANATION - Matter in *italics* is new; matter in brackets ~~+~~ is to be omitted.

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10 AUTHORITY: NRS 459.485, 459.490 and 459.500

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12 **Section 1.** NAC 444.843 is hereby amended to read as follows:

13 444.843 "Hazardous waste" defined.

14 1. "Hazardous waste" has the meaning ascribed to it in NRS 459.430.

15 2. The term includes any:

16 (a) Hazardous waste or constituent of hazardous waste which is subject to regulation under
17 40 C.F.R. Part 261;

18 (b) Waste containing polychlorinated biphenyl; and

19 (c) Waste brought into this state which is designated as hazardous waste in the state of its
20 origin, *except as provided in subsection 3.*

21 3. *The term does not include remediation waste or delisted waste, regardless of the state of*
22 *origin, if:*

23 (a) *It is not a hazardous waste pursuant to paragraph (a) of subsection 2; and*

24 (b) *It is disposed at a facility for the management of hazardous waste.*

25
26 The following new regulations are to be added to the definitions found at NAC 444.8422 to
27 NAC 444.8444 inclusive.

28
29 **Sec. 2.** *"Remediation waste" defined.*

30 *"Remediation waste" has the meaning ascribed to it in 40 CFR 260.10.*

31
32 **Sec. 3.** *"Delisted waste" defined.*

33 *"Delisted waste" means waste that has been excluded by EPA from the lists in Subpart D of*
34 *part 261 as a result of a successful petition for regulatory amendment under 40 CFR Part*
35 *260.20 and 260.22.*